IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL NO.411 OF 2003

The Commissioner of Income Tax,
City-II, Bombay .. Appellant.
V/s.
M/s.Gajra Bevel Gears Limited .. Respondent.

Mr.R. Asokan i/b. L.S. Shetty for the appellant.

CORAM : R.M. LODHA, &
J.P. DEVADHAR, JJ.

DATED : 20TH OCTOBER, 2004.

P.C. :

Mr.R. Asokan, the learned counsel for the revenue submits that the issue in this appeal is concluded by the judgment of the Supreme Court in the case of CIT V/s. Indo Nippon Chemicals Co. Ltd. [261 ITR 275] and in view thereof he has instructions to withdraw the appeal.

2. We accede to the request of the learned counsel and allow the appeal to be withdrawn.

3. Refund of court fee as per law.

(R.M. LODHA, J.)

(J.P. DEVADHAR, J.)